

**IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL**

Writ Petition No. 782 (SS) of 2007

Smt. Shubra Joshi,
W/o Sri Dr. Ashutosh Joshi,
Assistant Teacher,
Govt. Higher Secondary School,
Gohrimafi,
Dehradun.

.....**Petitioner.**

Versus

1. State of Uttarakhand, through Secretary, Education Government of Uttarakhand, Dehradun.
2. Director of School Education, Uttarakhand, Dehradun.
3. Additional Director of Education, Garhwal Mandal, Pauri, District – Pauri Garhwal.

.....**Respondents.**

Hon'ble M.M. Ghildiyal, J

Heard Sri S.K. Posti, learned counsel for the petitioner and Sri N.P. Shah, learned Standing Counsel for the respondents.

By means of this writ petition, the petitioner has challenged the transfer order dated 07.06.2007 passed by respondent no. 3 by which petitioner has been transferred from Govt. Girls Higher Secondary School, Goharimafi to Govt. Girls High School, Dharkot, Badiyargarh, District – Tehri Garhwal on the ground of inconsistent subject.

Petitioner has attacked the impugned order on three grounds. First, Petitioner was appointed in the year 1998 and since her appointment, she has already served 7 years in remote area. Secondly, petitioner has been transferred to Govt. Girls Higher Secondary School, Gohrimafi against a clear vacancy in the concerned subject. Third, petitioner has

been earlier transferred vide order dated 29.12.2006 to Govt. Girls Higher Secondary School, Goharimafi and again within a period of six months petitioner has again been transferred.

On 04.07.2007, time was granted to the respondents to file counter affidavit and stay order was granted to the petitioner.

In these circumstances, I deem it fit and proper to direct the petitioner to make representation before Director of School Education, Uttarakhand, raising all her grievances within a period of two weeks from today and the Director of School Education, Uttarakhand, is directed to take decision on the representation of the petitioner within a period of two weeks from the date of production of certified copy of this order along with representation. Till 31.08.2007 or till the decision is taken by the competent authority, stay order dated 04.07.2007 passed by this court shall remain operative.

With this direction, the writ petition as well as all the pending applications are finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

July 30, 2007
SKS